

**MINUTES**  
**LANCASTER COUNTY BOARD OF COMMISSIONERS**  
**TUESDAY, JUNE 14, 2005**  
**COUNTY COMMISSIONERS HEARING ROOM, ROOM 112**  
**FIRST FLOOR, COUNTY-CITY BUILDING**  
**1:30 P.M.**

Commissioners Present: Deb Schorr, Vice Chair  
Bernie Heier  
Ray Stevens  
Bob Workman

Commissioners Absent: Larry Hudkins, Chair

Others Present: Kerry Eagan, Chief Administrative Officer  
Bruce Medcalf, County Clerk  
Kristy Mundt, Deputy County Attorney  
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Commissioners meeting was called to order at 1:30 p.m..

1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, June 7, 2005.**

**MOTION:** Workman moved and Stevens seconded approval of the minutes of the Board of Commissioners meeting dated June 7, 2005. Schorr, Stevens, Workman and Heier voted aye. Motion carried.

2) **SPECIAL PRESENTATIONS:**

**A. The County-City Volunteer of the Month Award was presented to Rick Dockhorn for his services with Lincoln Area Agency on Aging - Lifetime Health.**

2) **SPECIAL PRESENTATIONS CONTINUED:**

**B. Recognition of the University of Nebraska - Lincoln Anti-Drug Baseball Card Program - Lancaster County Sheriff, Terry Wagner, Deputy Sheriffs Emanuel Bartek and Bill "Woody" Woodruff; Jon Lewallen, Tom Messick and Mark Meiners with Cook's/Con Agra Foods.**

Terry Wagner, County Sheriff, explained that Deputy Sheriff Bill "Woody" Woodruff came up with the idea of a baseball trading card program with the University of Nebraska and teamed up with Deputy Sheriff Bartek, D.A.R.E. Coordinator for the Sheriff's Office, to promote the idea.

Jon Lewallen, Cook's/ConAgra Foods, thanked the Sheriff's Office for their support and added that he hopes the baseball trading card program continues to grow.

Also present was Dr. Barbara Hibner, Associate Athletic Director and Senior Women's Administrator for the University of Nebraska.

3) **CLAIMS: Approval of all claims processed through Tuesday, June 14, 2005.**

**MOTION:** Heier moved and Stevens seconded approval of all claims processed through June 14, 2005. Workman, Stevens, Schorr and Heier voted aye. Motion carried.

4) **PUBLIC HEARINGS:**

**A. Continuation of a public hearing regarding Comprehensive Plan Amendment 04010, requested by the Director of Planning at the request of Apple's Way, L.L.C., to amend the 2025 Lincoln/Lancaster County Comprehensive Plan, to change the land use designation from Urban Residential to Commercial on approximately 39.13 acres generally located at South 66<sup>th</sup> Street and Highway 2 in Lancaster County, Nebraska.**

The Clerk administered the oath to Mark Hunzeker, appearing on behalf of Apple's Way and UNO Properties.

Hunzeker informed the County Board that City Council unanimously approved the Comprehensive Plan Amendment on June 13, 2005.

4) **PUBLIC HEARINGS CONTINUED:**

The Vice Chair asked if anyone else wished to provide testimony.

No one appeared and the hearing was closed.

**MOTION:** Workman moved and Stevens seconded to direct the County Attorney's Office to prepare a resolution approving Comprehensive Plan Amendment 04010. Stevens, Heier, Workman and Schorr voted aye. Motion carried.

**B. County Final Plat No. 04062, The Preserve at Cross Creek 1<sup>st</sup> Addition, requested by Brian D. Carstens and Associates on behalf of Land II, L.L.C., consisting of nine lots on property generally located at South 68<sup>th</sup> Street and Roca Road in Lancaster County, Nebraska. (See New Business Items 5A and 5B for correlating documents.)**

The Clerk administered the oath to Brian Carstens, appearing on behalf of Land II, L.L.C..

Carstens stated paving is complete, the ditches have been seeded and erosion control is in place, as well as the street signage and water main.

The Vice Chair asked if anyone else wished to provide testimony.

No one appeared and the hearing was closed.

5) **OLD BUSINESS:**

**A. Comprehensive Plan Amendment 05012, by the Director of Planning at the request of Prairie Homes, to amend the 2025 Lincoln/Lancaster County Comprehensive Plan to change the land use from Urban Residential to Commercial and to change the commercial size designation from Neighborhood Center to Community Center, on land generally located at North 84<sup>th</sup> and Adams Streets.**

5) **OLD BUSINESS CONTINUED:**

**MOTION:** Stevens moved and Schorr seconded to withdraw Comprehensive Plan Amendment 05012, by the Director of Planning at the request of Prairie Homes, to amend the 2025 Lincoln/Lancaster County Comprehensive Plan to change the land use from Urban Residential to Commercial and to change the commercial size designation from Neighborhood Center to Community Center, on land generally located at North 84<sup>th</sup> and Adams Streets as requested by the Director of Planning on behalf of the applicant. Stevens and Schorr voted yes. Heier and Workman voted no. Motion failed.

Schorr stated the item would be discussed at a Thursday County Board Staff Meeting for future direction from Planning as to how to address differences in the Comprehensive Plan between the City of Lincoln and Lancaster County.

6) **NEW BUSINESS:**

**A. A resolution in the matter of County Final Plat 04062, The Preserve at Cross Creek 1<sup>st</sup> Addition, requested by Brian D. Carstens and Associates, on behalf of Land II, L.L.C., consisting of nine lots, on property generally located at South 68<sup>th</sup> Street and Roca Road in Lancaster County, Nebraska. (R-05-0068)**

**B. A subdivision agreement with Land II, L.L.C. for County Final Plat 04062, The Preserve at Cross Creek 1<sup>st</sup> Addition, on property generally located at South 68<sup>th</sup> Street and Roca Road in Lancaster County, Nebraska. (C-05-0308)**

The Clerk read New Business Items 6A and 6B together.

**MOTION:** Stevens moved and Workman seconded approval of Resolution 05-0068 in the matter of County Final Plat 04062, The Preserve at Cross Creek 1<sup>st</sup> Addition, and approval of a subdivision agreement with Land II, L.L.C. for County Final Plat 04062, The Preserve at Cross Creek 1<sup>st</sup> Addition, on property generally located at South 68<sup>th</sup> Street and Roca Road in Lancaster County, Nebraska. Stevens, Workman, Heier and Schorr voted aye. Motion carried.

6) **NEW BUSINESS CONTINUED:**

**C. A resolution in the matter of an application for Corporate Manager for Connie L. Hynek in connection with a Class AD liquor license for Gas 'N Shop, Inc. d/b/a Gas 'N Shop No. 41 located at 4005 West Highway 34, Lincoln, Lancaster County, Nebraska. (R-05-0069)**

**MOTION:** Stevens moved and Heier seconded approval of Resolution 05-0069 in the matter of an application for Corporate Manager for Connie L. Hynek in connection with a Class AD liquor license for Gas 'N Shop, Inc. d/b/a Gas 'N Shop No. 41 located at 4005 West Highway 34, Lincoln, Lancaster County, Nebraska. Heier, Stevens, Schorr and Workman voted aye. Motion carried.

**D. A resolution in the matter of an application for Corporate Manager for Brett Allen Renner in connection with a Class I liquor license for Hillcrest Country Club located at 8901 "O" Street, Lincoln, Lancaster County, Nebraska. (R-05-0070)**

**MOTION:** Heier moved and Workman seconded approval of Resolution 05-0070 in the matter of an application for Corporate Manager for Brett Allen Renner in connection with a Class I liquor license for Hillcrest Country Club located at 8901 "O" Street, Lincoln, Lancaster County, Nebraska. Workman, Schorr, Stevens and Heier voted aye. Motion carried.

**E. Applications for Special Designated Licenses from Hillcrest Country Club, located at 8901 "O" Street to hold golf tournaments on the following dates:**

- ▶ **Sunday, July 3, 2005 from 7 a.m. to 1 a.m.**
- ▶ **Sunday, August 7, 2005 from 7 a.m. to 1 a.m.**
- ▶ **Sunday, August 21, 2005 from 7 a.m. to 1 a.m.**
- ▶ **Sunday, September 4, 2005 from 7 a.m. to 1 a.m.**
- ▶ **Sunday, October 2, 2005 from 7 a.m. to 1 a.m.**

**MOTION:** Stevens moved and Heier seconded approval of applications for Special Designated Licenses from Hillcrest Country Club, located at 8901 "O" Street to hold golf tournaments on July 3, 2005; August 7, 2005; August 21, 2005; September 4, 2005 and October 2, 2005. Stevens, Workman, Heier and Schorr voted aye. Motion carried.

6) **NEW BUSINESS CONTINUED:**

**F. An interlocal agreement between the City of Lincoln and Lancaster County to establish a policy for the contribution and use of the proceeds in the Keno Prevention Fund. (C-05-0309)**

**MOTION:** Heier moved and Stevens seconded approval of an interlocal agreement between the City of Lincoln and Lancaster County to establish a policy for the contribution and use of the proceeds in the Keno Prevention Fund. Schorr, Stevens, Heier and Workman voted aye. Motion carried.

**G. A grant contract with the City of Lincoln-Department of Urban Development to lead the Self Sufficiency Coalition as it meets the objectives of the Community Services Initiative Project, in the amount of \$5,000. Term of the grant contract is January 1, 2005 through June 30, 2005. (C-05-0310)**

**MOTION:** Stevens moved and Heier seconded approval of a grant contract with the City of Lincoln-Department of Urban Development to lead the Self Sufficiency Coalition as it meets the objectives of the Community Services Initiative Project, in the amount of \$5,000. Stevens, Schorr, Heier and Workman voted aye. Motion carried.

**H. A lease agreement between the Airport Authority of the City of Lincoln and Lancaster County for 2,500 square feet of paved area in the Lincoln Air Park West to be utilized by the Lancaster County Emergency Management Department to store material and equipment. The County will pay \$20.83 per month for the space. The lease is a month to month lease effective May 1, 2005. (C-05-0311)**

Doug Ahlberg, Emergency Management Director, explained the lease agreement allows the vendor, who is located in West Point, Nebraska, to store the outdoor warning sirens and disperse from that location instead of hauling them to and from West Point.

**MOTION:** Workman moved and Stevens seconded approval of a lease agreement between the Airport Authority of the City of Lincoln and Lancaster County for 2,500 square feet of paved area in the Lincoln Air Park West to be utilized by the Lancaster County Emergency Management Department to store material and equipment. Schorr, Stevens, Heier and Workman voted aye. Motion carried.

6) **NEW BUSINESS CONTINUED:**

**I. A lease agreement between Arnold E. Bentzinger and Lancaster County for property located at Southwest 14<sup>th</sup> Street between Highway 33 and Martell Road to be utilized by the Sheriff's Office as a firing range. Term of the lease agreement is July 1, 2005 through June 30, 2015. The County will pay \$650 per year for the property. This lease agreement replaces and rescinds the previous agreement under County Contract C-02-0230, executed by the parties on June 4, 2002. (C-05-0312)**

**MOTION:** Workman moved and Stevens seconded approval of a lease agreement between Arnold E. Bentzinger and Lancaster County for property located at Southwest 14<sup>th</sup> Street between Highway 33 and Martell Road to be utilized by the Sheriff's Office as a firing range. Workman, Schorr, Heier and Stevens voted aye. Motion carried.

**J. An agreement with the Asian Center for a representative to participate in a panel discussion at the Community Mental Health Center's diversity training day on June 17, 2005. The County will pay \$100 for the services. (C-05-0313)**

**MOTION:** Workman moved and Heier seconded approval of an agreement with the Asian Center for a representative to participate in a panel discussion at the Community Mental Health Center's diversity training day on June 17, 2005. Heier, Workman, Stevens and Schorr voted aye. Motion carried.

**K. An agreement with Maria Prendes Lintell to present a workshop for the Community Mental Health Center's diversity training day on June 17, 2005. The County will pay \$300 for the services. (C-05-0314)**

**MOTION:** Stevens moved and Workman seconded approval of an agreement with Maria Prendes Lintell to present a workshop for the Community Mental Health Center's diversity training day on June 17, 2005. Schorr, Stevens, Workman and Heier voted aye. Motion carried.

**L. An agreement with Movena Carter to act as the MC/Consultant for the Community Mental Health Center's diversity training day on June 17, 2005. The County will pay \$150 for the services. (C-05-0315)**

This item was dropped from the agenda.

6) **NEW BUSINESS CONTINUED:**

**M. An agreement with the Hispanic Center to provide a representative to participate in a panel discussion at the Community Mental Health Center's diversity training day on June 17, 2005. The County will pay \$100 for the services. (C-05-0316)**

**MOTION:** Stevens moved and Workman seconded approval of an agreement with the Hispanic Center to provide a representative to participate in a panel discussion at the Community Mental Health Center's diversity training day on June 17, 2005. Heier, Workman, Stevens and Schorr voted aye. Motion carried.

**N. An agreement with the Indian Center for a representative to participate in a panel discussion at the Community Mental Health Center's diversity training day on June 17, 2005. The County will pay \$100 for the services. (C-05-0317)**

**MOTION:** Workman moved and Heier seconded approval of an agreement with the Indian Center for a representative to participate in a panel discussion at the Community Mental Health Center's diversity training day on June 17, 2005. Workman, Stevens, Schorr and Heier voted aye. Motion carried.

**O. An agreement with the Malone Center for a representative to participate in a panel discussion at the Community Mental Health Center's diversity training day on June 17, 2005. The County will pay \$100 for the services. (C-05-0318)**

**MOTION:** Stevens moved and Heier seconded approval of an agreement with the Malone Center for a representative to participate in a panel discussion at the Community Mental Health Center's diversity training day on June 17, 2005. Stevens, Heier, Workman and Schorr voted aye. Motion carried.

**P. A change order supplemental agreement with Van Kirk Brothers Contracting for Project 05-31, Part A which is grading construction and culvert replacement. The original contract was approved on March 22, 2005. The change order will increase the contract amount by an additional \$1,331. (C-05-0319)**

**MOTION:** Heier moved and Stevens seconded approval of a change order supplemental agreement with Van Kirk Brothers Contracting for Project 05-31, Part A which is grading construction and culvert replacement. Heier, Workman, Schorr and Stevens voted aye. Motion carried.

6) **NEW BUSINESS CONTINUED:**

**Q. A contract with Great Plains Appraisal, Inc. for appraisal services in connection with Project C55-M-405(1), West "A" Street - Southwest 84<sup>th</sup> Street to the Burlington Northern Railroad, in the amount of \$13,300. (C-05-0320)**

**MOTION:** Heier moved and Stevens seconded approval of a contract with Great Plains Appraisal, Inc. for appraisal services in connection with Project C55-M-405(1), West "A" Street - Southwest 84<sup>th</sup> Street to the Burlington Northern Railroad, in the amount of \$13,300. Heier, Workman, Stevens and Schorr voted aye. Motion carried.

**R. An amendment to an agreement with Lisa Young, under County Contract C-04-0320, for the professional services of a nurse practitioner to assist in the provision of psychiatric services at the Community Mental Health Center. The parties wish to increase the number of hours she will provide services from 16 to 22 hours per week. (C-05-0325)**

**MOTION:** Workman moved and Stevens seconded approval of an amendment to an agreement with Lisa Young, under County Contract C-04-0320, for the professional services of a nurse practitioner to assist in the provision of psychiatric services at the Community Mental Health Center. Schorr, Heier, Workman and Stevens voted aye. Motion carried.

**S. Recommendation from the Purchasing Agent and the Emergency Management Director to award a bid for one custom mobile command trailer to Leach Camper Sales. This will be an award for \$98,539 using grant funds obtained by the Emergency Management Department. (B-05-0025)**

Kathy Smith, Assistant Purchasing Agent, explained that because the mobile command trailer is custom built, part of the offer is that the County will put down a 50 percent down payment. She stated the County Attorney's Office has recommended a performance bond be obtained to protect the taxpayers and the County. Smith stated Leach Camper Sales is willing to provide the performance bond, however, they have asked the County to pay the cost of the bond because the margin was so low on the unit bid. She indicated the cost of the performance bond is \$860, making the total \$99,399.

6) **NEW BUSINESS CONTINUED:**

Smith also noted that the funds will come from Emergency Management's budget instead of grant funds.

**MOTION:** Stevens moved and Heier seconded to accept the recommendation from the Purchasing Agent and the Emergency Management Director to award a bid for one custom mobile command trailer to Leach Camper Sales. This will be an award for \$99,399 which includes the payment of \$860 for the performance bond. Stevens, Workman, Heier and Schorr voted aye. Motion carried.

**T. Letter to the City Council regarding funding of the Rural to Urban Transition Streets (R.U.T.S.) Program and East Beltway.**

Stevens requested the item be deferred to the County Board Staff Meeting on June 16, 2005.

By direction of the Vice Chair, this item was deferred to the County Board Staff Meeting on June 16, 2005.

Workman indicated he would like to proceed with the sending the letter to the City Council.

**MOTION:** Stevens moved and Heier seconded deferral of the item to the County Board Staff Meeting on June 16, 2005.

Discussion followed regarding the letter.

By direction of the Vice Chair, this item was deferred to the County Board Staff Meeting on June 16, 2005.

**U. A political subdivision tort claim filed against the Lancaster County Corrections Department by Patrick Yetter for lost property, in the amount of \$100.**

**MOTION:** Heier moved and Workman seconded to accept the Corrections Director's recommendation and deny the political subdivision tort claim filed against the Lancaster County Corrections Department by Patrick Yetter for lost property, in the amount of \$100. Workman, Schorr, Stevens and Heier voted aye. Motion carried.

6) **NEW BUSINESS CONTINUED:**

**RETURNING TO NEW BUSINESS ITEM 6T:**

Workman stated because there was a motion and a second made on New Business Item 6T, roll call should be taken.

**NOTE:** The motion was moved and seconded to defer a letter to the City Council regarding funding of the Rural to Urban Transition Streets (R.U.T.S.) Program and East Beltway to the County Board Staff Meeting on Thursday, June 16, 2005.

**ROLL CALL:** Heier, Stevens and Schorr voted yes. Workman voted no. Motion carried.

- 7) **CONSENT ITEMS:** These are items of business that are routine which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

**A. Receive and Place on File:**

1. **County Assessor/Register of Deeds Monthly Report for May, 2005.**
2. **Clerk of the District Court's Monthly Report for May, 2005.**
3. **County Engineer's Quarterly Report for January, February and March, 2005.**
4. **County Engineer's Quarterly Report for the Geographic Information System (GIS) Division for January, February and March, 2005.**
5. **Lancaster Manor's Monthly Report.**
6. **Records & Information Management's Monthly Report for May, 2005.**
7. **Audit Report of Lancaster County, Nebraska for year ended June 30, 2004.**

- B. Request from Christopher A. Mecca to voluntarily participate in the Lancaster County Retirement Plan having met the requirements.**

7) **CONSENT ITEMS CONTINUED:**

**C. Right-of-way contracts relating to road improvements between the Lancaster County Engineering Department and the following individuals:**

- **Kenneth L. Henning, in the amount of \$1,000, at Southwest 100<sup>th</sup> Street and West Martell Road. (C-05-0321)**
- **Stanton D. and Jennifer A. Harn, in the total amount of \$9,374.40, at Northwest 70<sup>th</sup> and West Adams Streets; Project C55-M-047(1). (3 contracts) (C-05-0322 through C-05-0324)**

**MOTION:** Workman moved and Stevens seconded approval of the Consent Items. Stevens, Workman, Heier and Schorr voted aye. Motion carried.

8) **EMERGENCY ITEMS:**

**MOTION:** Stevens moved and Heier seconded approval to add to the agenda an application for a Special Designated License for an event on July 1, 2005. Schorr, Stevens, Heier and Workman voted aye. Motion carried.

**MOTION:** Stevens moved and Heier seconded approval of an application for a Special Designated License from O'Fourteen, Inc. d/b/a Woody's Pub to provide liquor beverage service in connection with wedding reception on July 1, 2005 at Country Pines located at 6305 West Adams Street.

Stevens noted that the application had been submitted to the incorrect governmental entity. He stated in reviewing the application, the Sheriff's Office, as well as the Health Department, found no reason to recommend denial of the application.

**ROLL CALL:** Stevens, Schorr, Heier and Workman voted aye. Motion carried.

9) **ADJOURNMENT:**

**MOTION:** Stevens moved and Workman seconded adjournment of the Board of Commissioners meeting at 2:20 p.m.. Schorr, Stevens, Heier and Workman voted aye. Motion carried.

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Bruce Medcalf  
County Clerk

**MINUTES  
LANCASTER COUNTY BOARD OF EQUALIZATION  
TUESDAY, JUNE 14, 2005  
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112  
FIRST FLOOR, COUNTY-CITY BUILDING  
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS  
MEETING**

Commissioners Present: Deb Schorr, Vice Chair  
Bernie Heier  
Ray Stevens  
Bob Workman

Commissioners Absent: Larry Hudkins, Chair

Others Present: Kerry Eagan, Chief Administrative Officer  
Bruce Medcalf, County Clerk  
Kristy Mundt, Deputy County Attorney  
Rob Ogden, Chief Field Deputy County Assessor/Register of  
Deeds  
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Equalization meeting was called to order at 2:20 p.m..

- 1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, June 7, 2005.**

**MOTION:** Stevens moved and Workman seconded approval of the minutes of the Board of Equalization meeting dated June 7, 2005. Schorr, Stevens, Workman and Heier voted aye. Motion carried.

- 2) **MOTOR VEHICLE TAX EXEMPTIONS:**

**Lincoln Lancaster Child Guidance Center  
Living Faith Free Methodist Church  
Nebraska SPF Swine Accrediting Agency, Inc.  
Our Saviour's Lutheran Church**

**MOTION:** Workman moved and Stevens seconded approval of the motor vehicle tax exemptions. Workman, Schorr, Heier and Stevens voted aye. Motion carried.

3) **NOTICE OF ASSESSED VALUATION CHANGE FOR PROPERTY TAXATION PURPOSES FOR THE CITY OF LINCOLN:**

Rob Ogden, Chief Field Deputy County Assessor/Register of Deeds, explained the notice indicating the property owner would have 30 days to protest the valuation after receipt of the notice.

**MOTION:** Heier moved and Workman seconded to accept the recommendation of the Chief Field Deputy County Assessor/Register of Deeds to send notice of assessed valuation change for property taxation purposes to the City of Lincoln for Parcel I.D. 10-26-218-001-000. Heier, Workman, Stevens and Schorr voted aye. Motion carried.

4) **ADJOURNMENT:**

**MOTION:** Stevens moved and Workman seconded adjournment of the Board of Equalization meeting at 2:30 p.m.. Workman, Stevens, Schorr and Heier voted aye. Motion carried.

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Bruce Medcalf  
County Clerk